

REMARKS

Claims 1-32 are pending and under consideration.

In item 4 of the Action, the Examiner indicates that claims 3, 4, 7-11, 13, 16, 17, 20-23, 25, 31 and 32 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. (Action at page 5).

In item 5 of the Action, the Examiner indicates that all pending claims 1-32 of the present application are allowed if the double patenting rejection indicated in item 3 of the Office Action is overcome. (Action at page 5).

The Action rejects claims 1- 2, 5-6, 12, 14-15, 18-19, 24, and 26-30 under the judicially created doctrine of provisional obviousness-type double patenting in view of claims 1-28 of copending Application No. 09/814,762 (Watanabe '762).

Applicant respectfully points out to the Examiner that the filing date of the present application is February 1, 2001, and the filing date of the cited application Watanabe '762 is March 23, 2001.

An Office Action mailed October 11, 2005 regarding Watanabe '762 rejects claims 1-4, 7-10, and 13 under the judicially created doctrine of provisional obviousness-type double patenting in view of claims 1-32 of the present Application, i.e., Watanabe '686.

Therefore, as set forth in MPEP §804 1.B. entitled DOUBLE PATENTING "Between Copending Applications-Provisional Rejections"

(i)f the "provisional" double patenting rejection in one application is the only rejection remaining in that application, the examiner should then withdraw that rejection and permit the application to issue as a patent, thereby converting the "provisional" double patenting rejection in the other application(s) into a double patenting rejection at the time the one application issues as a patent.

Since the only rejection remaining in the present application is the double patenting rejection, Applicant respectfully requests that the Examiner (as set forth in MPEP §804) withdraw the present rejection and permit the application to issue as a patent, thereby converting the "provisional" double patenting rejection in the other application(s) into a double patenting rejection at the time the one application issues as a patent.

CONCLUSION

There being no further outstanding objections or rejections, it is submitted that the

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application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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